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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark application Serial No. 78591881

For the mark: Wall of Voodoo

Published in the Official Gazette on August 8, 2006.

Mr. Bruce Moreland

(Representing the unincorporated association of "Wall of Voodoo" associates: Bruce Moreland (founding "Wall of Voodoo" member/owner/participant), Frederique Moreland for the estate of Marc Moreland (founding "Wall of Voodoo" member/participant/owner), Charles T. Gray (founding "Wall of Voodoo member/participant/owner), Gayle Nanini for the estate of Joseph Nanini (founding "Wall of Voodoo" member/participant/owner), Mrs. Bonnie Hart, party of interest in the estate of her son Marc Moreland and Ned Leukhardt ("Wall of Voodoo" member/participant/owner).

V.

~~10/11/2006 SWILSDW1 00000002 78591881~~
~~C-5-402~~ Mr. Stan Funsten
300.00

NOTICE OF OPPOSITION

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300.00 OP

Mr. Bruce Moreland
375 Redondo Ave. #259
Long Beach, CA 90814

I am filing OPPOSITION to the trademark application identified above in my own individual capacity and as authorized representative of the unincorporated association of above-identified associates, who are the rightful and contractually established owners of the music business entertainment enterprise "Wall of Voodoo," and have standing therefore to oppose the application number 78591881. I strongly believe and assert that



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the rightful business interests and potential future earnings of the rightful owners of "Wall of Voodoo" will be seriously damaged by registration of the mark shown in the above-identified application and hereby strongly oppose its granting.

The grounds for opposition are as follows:

- 1) The musical business entertainment enterprise "Wall of Voodoo," which is now well established with the public, was commenced in 1978, with multiple member/participant/owners.
- 2) The founding original member/participant/owners of this entertainment enterprise or "rock and roll group," established by contract, were Mr. Marc Moreland, Mr. Bruce Moreland, Stan Funsten (aka Stan Ridgway--the individual filing for the trademark, which we oppose), Joseph Nanini and Chas T. Gray.
- 3) From 1978 to 1982, the musical business entertainment enterprise "Wall of Voodoo" became established in with the general public as a rock and roll musical performing and recording ensemble, garnering media attention and critical praise, both in the United States and abroad, and enjoying significant sales of commercial recordings produced by "Wall of Voodoo."
- 4) In 1982, Mr. Funsten chose to end his participation and ownership interest in the music business enterprise "Wall of Voodoo."
- 5) In 1983, Mr. Funsten, by mutual formal agreement and for valuable consideration, departed "Wall of Voodoo," foregoing all future interest in the music business enterprise "Wall of Voodoo," and abandoning any and all future claims to the name "Wall of Voodoo."
- 6) In 1983, Mr. Funsten commenced a career as a "solo artist," which, in the conventions of the music entertainment industry, is an individual performing under his or her own name (or pseudonym as in Mr. Funsten's case), and which is distinct from the ensemble/rock and roll group format that describes "Wall of Voodoo." Mr. Funsten, having formally quit any and all claims to the name "Wall of Voodoo,"

engaged in a solo artist career for the next twenty-four years as "Stan Ridgway," a pseudonym or "stage-name" he employs as a performer. He DID NOT perform as "Wall of Voodoo."

- 7) The remaining participant/owners of the music business enterprise "Wall of Voodoo" continued on without Stan Funsten, adding new participant/owners, making commercial recordings, videos, and public performances to music consumers and audiences in the United States and abroad. "Wall of Voodoo" was not formally or informally dissolved as a music business entertainment enterprise, and is currently on hiatus.
- 8) In 2005, Mr. Funsten, apparently to supplement his career as solo artist "Stan Ridgway," commenced a scheme to, without authorization or approval from the rightful owners, appropriate the name "Wall of Voodoo" for purposes of unjust enrichment. The name "Wall of Voodoo" is more widely recognized in the public than Mr. Funsten's stage name, "Stan Ridgway," among consumers of musical entertainment. He did this, in part, by systematic misrepresentations and a campaign of internet hoaxing, in which he would distort the band history to his own interest. By this means, he falsely enhanced his role in the band and defamed those who threatened his revisionist and self-serving "history." There is considerable evidence of this.
- 9) Mr. Funsten is, by the 1983 formal agreement, specifically EXCLUDED from using the name "Wall of Voodoo" for any and all purposes and has no legal standing whatsoever for trademark application. We regard his attempt to trademark the name "Wall of Voodoo" now, twenty-four years after his final performance with the group in 1982, and twenty-three years after he formally quit all claims to the name "Wall of Voodoo," as part of a larger effort to engage in FRAUD, CONVERSION, CONSPIRACY, BREACH OF CONTRACT and UNJUST ENRICHMENT, among possible other torts.
- 10) My standing in this matter derives from my own rightful interests and also as the formal designated representative of the unincorporated associated individuals, identified above, who comprise the rightful

owners of the music business entertainment enterprise, "Wall of Voodoo." All of the associates have read and approved my representations in this OPPOSITION.

- 11) I OPPOSE therefore, on behalf on myself and the identified unincorporated associates, the cited application for trademark on the grounds cited above, asserting in conclusion that it is FRAUDULENT, UNJUST, would CONFUSE THE PUBLIC, and seriously HARM our rightful interests and future earnings. We seek that the application for trademark filed by Mr. Stan Funsten, serial number 78591881, be DENIED WITH PREJUDICE.

By Bruce Moreland Date OCTOBER 4 2006
Mr. Bruce Moreland